

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RONALD HOLTZ,

Plaintiff,

v.

MARTHA KARR, MARVIN SPENCER, C
KOLLIN, SHARLA JAMES-
HUTCHINSON, K MILLER, BRASWELL,
JUDY SNOW, DANNY OTA, M
JOURNEY, RICHARD ODEGARD,
PIERCE COUNTY DETENTION AND
CORRECTIONS CENTER, MICHAEL
KAWAMURA, RICHARD WHITEHEAD,
DEPARTMENT OF ASSIGNED COUNSEL.

Defendants.

No. C12-5111 RJB/KLS

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen L. Strombom (Dkt. 66) , objections to the Report and Recommendation (Dkt. 67) and the remaining record, does hereby find and **ORDER:**

(1) Plaintiff's Objections (Dkt. 67) are without merit. The Court adopts the Report and Recommendation (Dkt. 66).

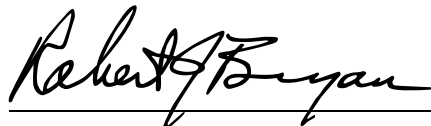
(2) Defendants' motion to dismiss (Dkt. 41) is **GRANTED as to:** Plaintiff's claims against Defendants Kawamura and Whitehead of the Department of Assigned Counsel for failure to provide Plaintiff with assistance and standby counsel in his criminal proceeding, and claims relating to the improper processing and/or denial of Plaintiff's grievances. These claims are dismissed.

1 (3) The remainder of Defendants' motion to dismiss (Dkt. 41) is **DENIED. Not later**
2 **than June 21, 2013**, Plaintiff shall file a second amended complaint, pleading facts, if any, to
3 support his remaining claims.

4 (4) On May 13, 2013, plaintiff filed a Motion for Extension of Time, requesting
5 additional time to "summarily compose a more compact amendment of claims" because he was
6 placed in the intensive management unit. (Dkt. 68). Any amendment to the claims that are
7 dismissed by this order would be futile. However, the court has afforded additional time for
8 plaintiff to file a second amended complaint, as reflected in (3) above. To that extent, plaintiff's
9 Motion for Extension of Time is GRANTED.

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11 (5) This matter is re-referred to Magistrate Judge Karen L. Strombom for further
12 proceedings.

13 **DATED** this 24th day of May, 2013.

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16 ROBERT J. BRYAN
17 United States District Judge
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